

By: Shelton

H.B. No. 1998

A BILL TO BE ENTITLED

AN ACT

relating to county authority to enforce minimum infrastructure standards for manufactured home rental communities; providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 232.005(a) and (b), Local Government Code, are amended to read as follows:

(a) At the request of the commissioners court, the county attorney or other prosecuting attorney for the county may file an action in a court of competent jurisdiction to:

(1) enjoin the violation or threatened violation of a requirement established by, or adopted by the commissioners court under a preceding section of this chapter or Section 232.007; or

(2) recover damages in an amount adequate for the county to undertake any construction or other activity necessary to bring about compliance with a requirement established by, or adopted by the commissioners court under a preceding section of this chapter or Section 232.007.

(b) A person commits an offense if the person knowingly or intentionally violates a requirement established by, or adopted by the commissioners court under a preceding section of this chapter or Section 232.007. An offense under this subsection is a Class B misdemeanor. This subsection does not apply to a violation for which a criminal penalty is prescribed by Section 232.0048.

SECTION 2. Section 232.007(b), Local Government Code, is amended to read as follows:

(b) A manufactured home rental community is not a subdivision, and Sections 232.001-232.0048 and 232.006 [~~232.001-232.006~~] do not apply to the community.

SECTION 3. Section 232.005(b), Local Government Code, as amended by this Act, applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

SECTION 4. This Act takes effect September 1, 2011.